

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

KEVIN ALLEN,)	CASE NO. 1: 14 CV 1282
)	
Plaintiff,)	JUDGE DONALD C. NUGENT
)	
v.)	<u>ORDER ADOPTING</u>
)	<u>MAGISTRATE'S REPORT AND</u>
CAROLYN W. COLVIN,)	<u>RECOMMENDATION</u>
COMMISSIONER OF SOCIAL)	
SECURITY,)	
)	
Defendant.)	


This matter comes before the Court upon the Report and Recommendation of Magistrate Judge George J. Limbert. The Report and Recommendation (ECF # 15), issued on April 6, 2015, is hereby ADOPTED by this Court, without objection.

Plaintiff sought review of the Commissioner's adverse decision on his social security claim. Defendant has moved to dismiss Plaintiff's complaint. A scheduling order was issued, however, Plaintiff never filed a brief in support of his request for review. A show cause order was issued, and Plaintiff requested additional time to file his brief. An extension was granted and again no brief was filed. A second show case order was issued, and this time Plaintiff did not respond. Consequently, the Magistrate Judge recommends that Plaintiff's case be dismissed without prejudice for failure to

prosecute. No timely objections have been filed by either party. .

The Court has reviewed *de novo* the Report and Recommendation, *see Ohio Citizen Action v. City of Seven Hills*, 35 F. Supp. 2d 575, 577 (N.D. Ohio 1999), and ADOPTS the Magistrate Judge's Report and Recommendation in its entirety. This case is dismissed without prejudice for lack of prosecution.. IT IS SO ORDERED.

DATED: May 12, 2015


DONALD C. NUGENT
United States District Judge